

## Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 PM-04 H-02 INR-07 L-03 NSAE-00

NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 NRC-05 ERDA-05

OMB-01 ACDA-07 /077 W

----- 018841

R 051449Z AUG 76

FM AMEMBASSY PARIS

TO SECSTATE WASHDC 3647

INFO DIA WASHDC

AMCONSUL NICE

AMCONSUL MARSEILLE

USNMR SHAPE

USDOCOSOUTH

COMSIXTHFLT

USCINCEUR

CTF SIX ZERO AT SEA

JCS WASHDC

USMISSION NATO

CNO WASHDC

CINCLANTFLT

CINCUSNAVEUR

SECDEF WASHDC

C O N F I D E N T I A L SECTION 01 OF 02 PARIS 22680

E. O. 11652: XGDS-3, DECLASSIFY 12/31/96

TAGS: MARR, MNUC, FR

SUBJECT: NUCLEAR POWERED WARSHIPS (NPW) VISITS TO  
FRANCE

REF: STATE 183426 (DTG 232344Z JUL 76)

1. IN ABSENCE ON VACATION OF QUAI ACTION OFFICER  
KERROS, EMBOFF HAS DISCUSSED THE STATUS OF THE NPW PORT  
ENTRY REQUEST WITH PAGNIEZ (DIRECTOR OF PACTS AND DIS-  
ARMAMENT) AND BELLANGER (SCIENTIFIC AFFAIRS). NEITHER  
OFFICIAL WAS FULLY INFORMED ABOUT THE PROBLEM, BUT BOTH  
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WERE AWARE OF OUR RECENT DEMARCHES ON THE QUESTION AND

SAID THAT AS A RESULT OF OUR REPRESENTATIONS, AN INTERMINISTERIAL COMMITTEE WOULD LOOK AT THE MATTER ONCE AGAIN.

2. ACCORDING TO PAGNIEZ, THE COMMITTEE WILL MEET IN THE FIRST HALF OF SEPTEMBER, ATTEMPTS TO SET AN EARLIER DATE HAVING FAILED BECAUSE OF LEGAL AFFAIRS OFFICIALS' PREOCCUPATION WITH LOS MATTERS AND THE TRADITIONAL JULY-AUGUST VACATIONS. PAGNIEZ NOTED THAT THERE ARE TWO MAJOR LEGAL QUESTIONS TO BE DECIDED: (1) WOULD MERE ADMINISTRATIVE ACTION (CHANGING A DECREE) PERMIT THE GOF ANY LATITUDE; AND (2) IN ANY CASE, WOULD NPW VISITS BE LEGALLY POSSIBLE IN THE ABSENCE OF A FRANCO-US BILATERAL AGREEMENT. HE WOULD NOT HAZARD A GUESS ON WHAT THE INTERMINISTERIAL GROUP'S CONCLUSIONS MIGHT BE, BUT SAID THAT UNDER THE MOST FAVORABLE CIRCUMSTANCES, HE DOUBTED THAT NPW SHIP VISITS IN OCTOBER OR NOVEMBER OF THIS YEAR WOULD BE POSSIBLE BECAUSE OF THE TIME-CONSUMING PRELIMINARY ADMINISTRATIVE WORK REQUIRED.

3. BELLANGER, WHO APPEARED TO HAVE STUDIED THE DOSSIER ONLY RECENTLY AND TO HAVE LESS GENERAL BACKGROUND ON THE MATTER THAN PAGNIEZ, WAS NONETHELESS MORE FORTHCOMING IN SPECULATION ON THE PROBLE RESULTS OF THE SEPTEMBER INTERMINISTERIAL MEETING. HE SAID THAT THE QUAI LEGAL BRANCH IS PERSUADED THAT FRENCH LAW, NOT SIMPLY AN IMPLEMENTING DECREE, REQUIRES A BILATERAL AGREEMENT. BELLANGER DID NOT SEE HOW ANOTHER MEETING COULD CHANGE THAT FACT. MOREOVER, HE SAID, THE GOF WOULD FIND IT POLITICALLY DIFFICULT TO TRY TO AMEND CURRENT FRENCH LEGISLATION (OR EVEN A DECREE) IN A WAY THAT WOULD PERMIT NPW VISITS FOR AMERICAN SHIPS. THE GOF WOULD BE ATTACKED BOTH BY ENVIRONMENTALISTS AND BY

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ACTION EUR-12

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NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 NRC-05 ERDA-05

OMB-01 ACDA-07 /077 W

----- 018828

R 051449Z AUG 76  
FM AMEMBASSY PARIS  
TO SECSTATE WASHDC 3648  
INFO DIA WASHDC  
AMCONSUL NICE  
AMCONSUL MARSEILLE  
USNMR SHAPE  
USDOCOSOUTH  
COMSIXTHFLT  
USCINCEUR  
CTF SIX ZERO AT SEA  
JCS WASHDC  
USMISSION NATO  
CNO WASHDC  
CINCLANTFLT  
CINCUSNAVEUR  
SECDEF WASHDC

C O N F I D E N T I A L SECTION 02 OF 02 PARIS 22680

GAULLISTS AND THE OPPOSITION, WHO WOULD SEE IN IT  
FURTHER EVIDENCE OF GISCARD'S ALLEGEDLY GROWING  
"ATLANTICISM". ALTHOUGH PROTESTING HIS NON-EXPERT  
STATUS, BELLANGER FELT THAT THE ONLY SOLUTION WOULD BE  
FOR THE U.S. TO DECIDE, DESPITE THE MORE SIMPLE  
ARRANGEMENTS IT MAY HAVE MADE WITH OTHER COUNTRIES,  
THAT A BILATERAL AGREEMENT WAS THE SPEEDIEST AND  
PROBABLY THE ONLY WAY TO OPEN FRENCH PORTS  
TO NPWS. HE WARNED THAT CONCLUDING SUCH AN AGREEMENT,  
TOO, WOULD BE A LONG PROCESS WHICH COULD NOT BE COM-  
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PLETED IN TIME TO PERMIT THE NIMITZ GROUP TO MAKE A  
PORT CALL IN 1976.

4. COMMENT: THE OFFICIAL FRENCH REACTION TO OUR RECENT  
DEMARCHES WILL NOT BE FORTHCOMING UNTIL AFTER THE  
SEPTEMBER INTERMINISTERIAL MEETING. IT SEEMS CLEAR,  
HOWEVER, THAT UNDER THE MOST FAVORABLE HYPOTHESES AND  
WITH THE BEST WILL IN THE WORLD, NPW PORT VISITS THIS  
YEAR ARE NOT IN THE CARDS. MOREOVER, WE BELIEVE THAT  
BELLANGER'S VIEW THAT AN AGREEMENT IS NEEDED MAY PROVE  
CORRECT AND THAT THE "LAWYERS' COMPLICATIONS" TO WHICH  
PIERRE-BROSSOLETTE REFERRED (PARIS 19090) ARE MORE REAL  
THAN HE IMAGINED. WE DO NOT KNOW WHICH WAY THE INTER-

MINISTERIAL MEETING WILL GO, THERE BEING SUBSTANTIAL FORCES WITHIN THE FRENCH NAVY AND GOVERNMENT ON BOTH SIDES OF THE QUESTION. IF WE HAD TO MAKE A GUESS, THE LAWYERS USUALLY WIN IN THIS KIND OF SITUATION, AND THE MEETING MAY WELL COME DOWN ON THE SIDE OF INSISTING ON A BILATERAL. IN THE CONTEXT OF THE PLANNED WASHINGTON VISIT OF DEFENSE MINISTER BOURGES THIS OCTOBER, WE HOPE SECRETARY RUMSFELD WILL DISCUSS THIS QUESTION AND DETERMINE WHETHER THE INTERMINISTERIAL MEETING DID, IN FACT, CONCLUDE THAT A BILATERAL IS NECESSARY.  
GAMMON

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**To:** STATE  
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